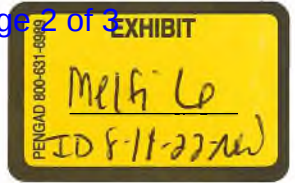


# EXHIBIT D



Department of

**FIRE, BUILDING, AND EMERGENCY SERVICES**Robert P. Bell  
Fire Chief

To: Justin Melfi  
Firefighter

From: Robert Bell  
Fire Chief

Re: Disciplinary Action

Date: March 11, 2019

In accordance with paragraph 5.5.5 of the Collective Negotiations Agreement between the City of Olean and Local 1796 of the Olean Professional Firefighter's Association, you are hereby notified of the following action of misconduct which I have determined warrant disqualification from sick leave as per section 10.4 of the Collective Negotiations Agreement.

**Specification One:**

On or about December 9, 2018 you willfully and wrongfully called in sick and was hunting as reported by Captain Zink from a general conversation that occurred at the Town of Olean Highway Department between Captain Zink, an employee of the Town and FF Terry Gaylor.

As a result of this Disqualification for Sick Leave you are to be penalized 24 hours loss of pay for the day not so accounted for.

**Specification Two:**

On or about December 10, 2018 you willfully and wrongfully submitted a sick leave application form to the City of Olean Fire Department falsely reporting that you were sick on December 9 and therefore could not report for your assigned shift on December 9, 2018.

As a result of this falsifying of a sick leave form (Section 10.4.3 of the CBA and Section 5.5.4) I have determined the following disciplinary action, the loss of leave credits (6 holidays).

In accordance with paragraph 5.5.5 of the Collective Negotiations Agreement, you must deliver to me a written, dated, and signed statement indicating whether you accept the disciplinary action for Specifications one and two, or in the alternative, request a hearing by the Mayor or his designated representative for a review of the matter.

If you accept the disciplinary action, the disciplinary action will be immediately imposed. If you request a hearing with the Mayor then the disciplinary action shall be immediately imposed in accordance with the terms of the recommendation from the Mayor.

Signed:

Justin Melfi

Fire Fighter Justin Melfi

Patrick Zink

Captain Patrick Zink Witness

Robert Bell

Chief Robert Bell

Bell

Union Representative